

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Aaron L. Olson,

Civil No. 19-352 (DWF/SER)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Skateville, Inc.,

Defendant.

This matter is before the Court upon Plaintiff Aaron L. Olson’s (“Plaintiff”) *pro se* objections (Doc. No. 18) to Magistrate Judge Steven E. Rau’s April 16, 2019 Order and Report and Recommendation (Doc. No. 17) insofar as it recommends that Plaintiff’s motion for remand be denied. Defendant filed a response to Plaintiff’s objections on May 30, 2019. (Doc. No. 19.)

The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. In the Report and Recommendation, the Magistrate Judge: (1) granted Olson’s application to proceed *in forma pauperis*; and (2) recommended that Olson’s motion for remand be denied. As to the latter, the Magistrate Judge explained that Olson acknowledges that the ordinary conditions of removal are present in this case—a federal question presented on the face of the complaint and a timely notice of removal—but seeks remand to state court because that forum would be more convenient for Olson. The Magistrate Judge also correctly explained that when a federal court has jurisdiction, it has an obligation to exercise that

authority, and correctly found that there were no extraordinary circumstances present that would allow the Court to abstain from proceeding.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of the parties, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). After careful review of the Plaintiff's objections, the Court finds no reason to depart from the Magistrate Judge's recommendation. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Plaintiff Aaron L. Olson's *pro se* objections (Doc. No. [18]) to Magistrate Judge Steven E. Rau's April 16, 2019 Report and Recommendation are **OVERRULED**.

2. Magistrate Judge Steven E. Rau's April 16, 2019 Order and Report and Recommendation (Doc. No. [17]) is **ADOPTED**.

3. Plaintiff Aaron L. Olson's motion for remand (Doc. No. [8]) is **DENIED**.

Dated: June 20, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge